

UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

JENNIFER PUCHALA :
VS. : C.A. NO.
SCHOOL HOUSE APTS., LLC :

COMPLAINT

Now comes the Plaintiff, Jennifer Puchala, in the above-entitled matter, and hereby alleges and states as follows:

JURISDICTION

1. Jurisdiction of this Court is proper under 28 U.S.C. 1332. Plaintiff is a citizen of the Commonwealth of Massachusetts Commonwealth of Massachusetts and Defendant, School House Apts., LLC is a limited liability company organized and existing under the laws of the State of Rhode Island. The matter in controversy exceeds, exclusive of interest and costs, the sum of \$75,000.00.

PARTIES

2. Plaintiff, Jennifer Puchala, at all times relevant hereto, was a resident of the Town of Whitinsville, in the Commonwealth of Massachusetts.

3. Upon information and belief, Defendant, School House Apts., LLC, is a limited liability company organized and existing under the laws of the State of Rhode Island and owner of real property located at 6 Almeida Drive, Manville, Rhode Island 02838, known as the School House Apartments.

CAUSE OF ACTION

COUNT I

NEGLIGENCE

4. On or about January 21, 2019, Plaintiff, Jennifer Puchala, was visiting her mother, who resides at 6 Almeida Drive, Apartment 304, Manville, Rhode Island 02838 when she slipped and fell on ice and/or snow, which had accumulated in the parking area at the apartment.

5. At all times material hereto, Plaintiff, Jennifer Puchala, was in the exercise of due care and caution.

6. Defendant, School House Apts., LLC, by and through its agents, servants and employees had a duty to exercise reasonable care to inspect the parking area of the apartment complex and determine the existence of any unsafe condition, including, but not limited to unsafe accumulation of ice and/or snow, which could cause harm to individuals residing at or visiting those residing at the apartment complex, including the Plaintiff.

7. Defendant, School House Apts., LLC, by and through its agents, servants and employees, was negligent in failing to inspect the parking area, located at 6 Almeida Drive, Manville, Rhode Island, to determine the existence of any unsafe condition, including, but not limited to unsafe cumulation of ice and/or snow, and further, were negligent in not remedying said unsafe condition.

8. Defendant, School House Apts., LLC, by and through its agents, servants and employees were under a duty to exercise reasonable care to keep the premises free

from unsafe and dangerous conditions, by inspection or other affirmative acts, which could cause harm to individuals, like the Plaintiff, on the premises.

9. Defendant, School House Apts., LLC, by and through its agents, servants and employees negligently failed to remove ice and/or snow from the parking area, located 6 Almeida Drive, Manville, Rhode Island, thereby causing an unsafe condition, which resulted in injuries to the Plaintiff, Jennifer Puchala.

10. As a direct and proximate result of the negligence of the Defendant, by and through its agents, servants and employees, as complained of herein, the Plaintiff, Jennifer Puchala, sustained severe, permanent, personal injuries which incapacitated her; she has been prevented from carrying on her usual activities; she suffered, presently suffers and in the future will suffer great pain of body and mind; she incurred, is continuing to incur and will in the future incur great expense for medical hospital care and attention; and she has sustained and in the future will sustain loss earnings, salary and/or wages.

WHEREFORE, Plaintiff, Jennifer Puchala, hereby makes demand for judgment against the Defendant, School House Apts., LLC, in an amount sufficient to sustain the jurisdiction of this Court and to be determined by the trier of fact for compensatory damages, plus interest and costs.

Plaintiff,
By and through her attorney.

/s/ Thomas A. Tarro, III
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Dated: February 26, 2021

PLAINTIFF HEREBY CLAIMS HER RIGHT TO TRIAL BY JURY